

REMARKS/ARGUMENTS

Favorable reconsideration of this reissue application is respectfully requested.

Please cancel claim 16.

Claims 1-90 are present in this application. Claim 16 is canceled by way of the present amendment. Previously added claims 18-20 and 22 were canceled in the amendment filed July 30, 2002. The remaining claims are now renumbered as claims 1-90.

Please note that a typographical error was noted in claim 21 (now claim 17) where “consists” should be “consist.” Correction is made.

The applicants previously stated that the original patent was lost. The original patent was located and is being submitted herewith.

The applicants are also submitting, with this amendment, a Reissue Declaration (Corrected) where the filing date of the priority document, JP 6-038157, is corrected, a dated Written Consent executed by an authorized representative the assignee, and a new Supplemental Reissue Oath,¹ as requested by the examiner in the outstanding Office Action.

The Reissue Oath was found defective since “claim 11 does not ‘broaden the scope’ of the original claims as stated in the declaration.” As correctly noted in the Office Action, claim 11 is dependent from claim 1 and recites elements not found in claim 1. Claim 11 does not broaden the scope of the patent. However, the Reissue Oath does not assert that claim 11 broadens the scope of the patent. The Reissue Oath states that the Applicants seek to broaden the scope of the original patent. The Reissue Oath also states that one error in the patent was the failure to claim the subject matter of claim 11, a narrower claim. Broadening the scope of the patent and adding claim 11 are not linked.

The statement “[t]he applicants seek to broaden the scope of the original claims” was made to apprise the USPTO of the broadening nature of the present reissue application, while

¹ A Supplemental Reissue Oath was previously filed on October 14, 2003.

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the statement of the error for failing to claim the subject matter of claim 11 was made to satisfy the requirement of specifying that at least one error exists in the patent. A failure to include broader claims may be another error, but only one error needs to be specified. Thus, it is respectfully submitted that the Reissue Oath is not defective for the reason that claim 11 "does not 'broaden the scope' of the original claims." Withdrawal of the objection to the Reissue Oath on this basis is respectfully requested.

It is respectfully submitted that the present reissue application is in condition for allowance and a favorable decision to that effect is respectfully requested.

Respectfully submitted,

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